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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:
Jeri L. Callaway et al.

Serial No.: 10/038,202

Filed: December 21, 2001

For: SYSTEM AND APPARATUS FOR
MANAGING PERSONAL AND WORK-
RELATED MATTERS

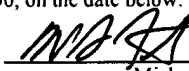
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Michael G. Fletcher

RESPONSE TO NOTICE OF NON-COMPLIANCE AND REVISED

APPEAL BRIEF PURSUANT TO 37 C.F.R. §§ 41.31 AND 41.37

This Appeal Brief is being filed in furtherance to the Notice of Non-Compliant Appeal Brief mailed on November 14, 2007.

1. **REAL PARTY IN INTEREST**

The real party in interest is Hewlett Packard Development Company, L.P., the Assignee of the above-referenced application by virtue of the Assignment to Compaq Information Technologies Group, L.P., recorded at reel 012460, frame 0865, and recorded on December 21, 2001, and later merged into Hewlett Packard Development Company, L.P., recorded at reel 016313, frame 0854, and recorded on June 8, 2005.

Accordingly, Hewlett Packard Development Company, L.P., will be directly affected by the Board's decision in the pending appeal.

2. **RELATED APPEALS AND INTERFERENCES**

Appellants are unaware of any other appeals or interferences related to this Appeal. The undersigned is Appellants' legal representative in this Appeal.

3. **STATUS OF CLAIMS**

Claims 1, 2, 4-22, and 24-50 are currently pending. Claims 3 and 23 are cancelled. Claims 33-43 have been withdrawn from consideration, so claims 1, 2, 4-22, 24-32, and 44-50 are currently under final rejection and, thus, are the subject of this Appeal.

4. **STATUS OF AMENDMENTS**

There are no outstanding amendments to be considered by the Board.

5. **SUMMARY OF CLAIMED SUBJECT MATTER**

Certain aspects of the present disclosure have been set forth in the present claims. The present application currently contains three independent claims on appeal, namely claims 1, 13, and 25. Each of these independent claims is set forth below in annotated form, where the annotation provided for each element refers to the specification by page and line number and to the corresponding drawing to demonstrate an exemplary embodiment of such an element. However, it is important to note that the embodiments are merely examples of the claimed subject matter and that the embodiments do not alter or define the scope of the claim itself. Appellants respectfully submit that the description above and the annotations below provide a concise explanation of the subject matter defined in each of the independent claims involved in this appeal in accordance with 37 C.F.R. § 41.37(c)(v).

Claim 1

A device for managing a combination of family-related matters and work-related matters, the device comprising:

- a processor; **[The processor may include any of a variety of difference devices, such as a hand-held PC, laptop PC, desktop PC, home appliance, cellular pager/viewer, Compaq iPaq, Palm Pilot, Blackberry, etc. Fig. 7; p. 19 lines 7-9.]**
- a calendaring program running on the processor, the calendaring program adapted to provide at least one calendar corresponding to family-related matters, at least one calendar corresponding to work-related matters, and at least one calendar corresponding to a merger of the family-related matters and the work-related matters, the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family-related matters and the work-related matters; and **[The device 54 may be configured so that pressing the button 90 selects the calendar, and so that continuing to press the button 90 may toggle between various stored calendars such as the merged calendar, the work calendar, and the personal calendar. See, e.g., Figs. 13A-C; p. 19, lines 15-19; p. 22, line 11, to p. 23, line 2.]**
- an input/output stage operably coupled to the processor and adapted to communicate with a remote device to update the at least one calendar corresponding to family-related matters and the at least one calendar corresponding to work-related matters. **[The device 54 may include various communication options, such as a USB communication port and infrared ports, although the manner in which the device communicates with the host computer(s) may be widely variable. See, e.g., Figs. 5 and 6; p. 19, line 19, to p. 20, line 1.]**

Claim 13

A system for managing a combination of family-related matters and work-related matters, the system comprising:

- a first device designated as a hub; **[The family manager 12 includes a communications device 54 designated as a hub. See, e.g., Figs. 5 and 6; p. 16, lines 11-22.]**
- a plurality of second devices; **[The plurality of second devices may include employee devices 56 and 58 and non-employee**

devices 66, 68 and 70. *See, e.g.,* Figs. 5 and 6; p. 16, lines 11-22.]

- a host computer adapted to communicate with the first device and with the plurality of second devices; and **[The host computer may be a private host computer 52 that facilitates communications between the hub and various other entities. *See, e.g.,* Figs. 5 and 6; p. 16, lines 4-18.]**
- a calendaring program running on at least the first device, the calendaring program adapted to provide at least one calendar corresponding to family-related matters, at least one calendar corresponding to work-related matters, and at least one calendar corresponding to a merger of the family-related matters and the work-related matters, the calendaring program adapted to update the at least one calendar corresponding to family-related matters and the at least one calendar corresponding to work-related matters in response to communication between the first device and the host computer, the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between family-related matters and work-related matters. **[The device 54 may be configured so that pressing the button 90 selects the calendar, and so that continuing to press the button 90 may toggle between various stored calendars such as the merged calendar, the work calendar, and the personal calendar. *See, e.g.,* Figs. 13A-C; p. 19, lines 15-19; p. 22, line 11, to p. 23, line 2.]**

Claim 25

A system for managing a combination of family-related matters and work-related matters, the system comprising:

- a family/work device; **[The family manager's device 54 receives both work-related and personal information. *See, e.g.,* Fig. 6; p. 18, lines 8-11.]**
- a plurality of work devices; **[The plurality of devices 56 and 58 may be assigned to employees to access company-related information. *See, e.g.,* Fig. 6; p. 17, lines 11-13.]**
- a private host computer communicatively coupled to the family/work device and to the plurality of work devices, the private host computer maintaining work-related matters; **[The system may include a private host computer 52 that communicates with the family manager's device 54 and**

- with the employee devices 56 and 58. See, e.g., Fig. 7; p. 17, lines 11-13.]**
- a plurality of family devices; **[The plurality of non-employee devices 66, 68, and 70 may be provided for personal information. See, e.g., Fig. 6; p. 17, lines 13-16; p. 18, lines 3-6.]**
- a public host computer communicatively coupled to the family/work device and to the plurality of family devices, the public host computer maintaining family-related matters; and **[The system may includes public host computer 78 to communicate with the family manager's device 54 and with the non-employee devices 66, 68, and 70. See, e.g., Fig. 6; p. 17, lines 15-52; p. 18, lines 5-8.]**
- a calendaring program running on at least the family/work device, the calendaring program adapted to provide at least one calendar corresponding to family-related matters and at least one calendar corresponding to work-related matters, the calendaring program adapted to update the at least one calendar corresponding to family-related matters and the at least one calendar corresponding to work-related matters in response to communication between the family/work device and the host computers. **[The device 54 may be configured so that pressing the button 90 selects the calendar, so that continuing to press the button 90 may toggle between various stored calendars such as the merged calendar, the work calendar, and the personal calendar. See, e.g., Fig. 6; p. 19, line 19, to p. 20, line 1.]**

6. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

First Ground of Rejection for Review on Appeal

Appellants respectfully urge the Board to review and reverse the Examiner's first ground of rejection in which the Examiner rejected claims 1-2, 4-6, 8-16, 18-22, 24 and 44-47 under 35 U.S.C. § 103(a) as being unpatentable over the Raff reference in view of the Gotou reference.

Second Ground of Rejection for Review on Appeal

Appellants respectfully urge the Board to review and reverse the Examiner's second ground of rejection in which the Examiner rejected claims 7 and 17 under 35 U.S.C. § 103(a) as being unpatentable over the Raff and Gotou references in view of the Edwards reference.

Third Ground of Rejection for Review on Appeal:

Appellants respectfully urge the Board to review and reverse the Examiner's third ground of rejection in which the Examiner rejected claims 25-32 under 35 U.S.C. § 103(a) as being unpatentable over the Raff reference in view of the Edwards reference.

Fourth Ground of Rejection for Review on Appeal

Appellants respectfully urge the Board to review and reverse the Examiner's fourth ground of rejection in which the Examiner rejected claims 48-50 under 35 U.S.C. § 103(a) as being unpatentable over the Raff and Edwards references in view of the Gotou reference.

7. **ARGUMENT**

As discussed in detail below, the Examiner has improperly rejected the pending claims. Further, the Examiner has misapplied long-standing and binding legal precedents and principles in rejecting the claims under Section 103. Accordingly, Appellants respectfully request full and favorable consideration by the Board, as Appellants strongly believe that claims 1, 2, 4-22, 24-32, and 44-50 are currently in condition for allowance.

Legal Precedent

The following binding legal precedent applies to all of the rejections discussed below. The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior

art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). Appellants respectfully assert that Examiner has failed to establish a *prima facie* case of obviousness, as the prior art cited by Examiner neither includes all claimed elements nor provides a teaching or suggestion to combine.

A. Ground of Rejection No. 1

The Examiner rejected claims 1-2, 4-6, 8-16, 18-22, 24, 44-47 under 35 U.S.C. § 103(a) as being unpatentable over the Raff reference in view of the Gotou reference. As demonstrated by the subheadings below, independent claims 2, 4-6, 8 and 10-12 stand or fall with the Board's determination regarding independent claim 1, and dependent claims 14-16, 19, 21, 22, 24, 44, and 46 will stand or fall with independent claim 13, but claims 9 and 20, claim 18, and claims 45 and 47 will be argued separately.

Claims 1, 2, 4-6, 8, 10-16, 19, 21, 22, and 24

With regard to the rejection of independent claims 1 and 13, the Examiner stated:

As per claim 1, Raff teaches a device for managing a combination of family-related matters and work-related matters, the device comprising: a processor (Figure 5); a calendaring program running on the processor (Column 9 line 63 - Column 10 line 33); calendaring program adapted to provide at least one calendar corresponding to family-related matters (Column 10 lines 39-52), at least one calendar corresponding to work-related matters (Column 10 lines 39-52), and at least one calendar corresponding to a merger of the

family-related matters and the work-related matters (Column 10 lines 53-63), the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family-related matters and the work-related matters (Column 10 lines 53-63); and an input/output stage operably coupled to the processor and adapted to communicate with a remote device to update the calendars (col.5, lines 41-47) corresponding to family-related matters and the at least one calendar corresponding to work-related matters (Column 8 lines 54-65). However, Raff fails to distinctly point out icons as known in the art. However, Gotou teaches display icons that distinguish between the family related matters and the work related matters (Column 3 lines 1-15). Therefore it would have been obvious to an artisan at the time of the invention to combine the icon teaching of Gotou with the device of Raff. Motivation to do so would have been to provide a desired meaning to each of the icons so that a user can quickly identify an association.

...

As per independent claim 13, Raff teaches a system for managing a combination of family-related matters and work-related matters, the system comprising: a first device designated as a hub (Column 11 lines 64-67); a plurality of second devices (Column 12 lines 1-12); a host computer adapted to communicate with the first device and with the plurality of second devices (Column 11 line 64 - Column 12 line 12); and a calendaring program running on at least the first device (Column 9 line 63 - Column 10 line 33), the calendaring program adapted to provide at least one calendar corresponding to family-related matters (Column 10 lines 39-52), at least one calendar corresponding to work-related matters (Column 10 lines 39-52), and at least one calendar corresponding to a merger of the family-related matters and the work-related matters (Column 10 lines 53-63), the calendaring program adapted to update the calendars in response to communication between the first device and the host computer, the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family-related matters and the work-related matters (Column 8 lines 54-65). However, Raff fails to distinctly point out icons as known in the art. However, Gotou teaches display icons that distinguish

between the family related matters and the work related matters (Column 3 lines 1-15). Therefore it would have been obvious to an artisan at the time of the invention to combine the icon teaching of Gotou with the device of Raff. Motivation to do so would have been to provide a desired meaning to each of the icons so that a user can quickly identify an association.

The present application relates generally to the field of organization and scheduling methods and, more particularly, to a method for management of one's family-related and work-related matters. Distinct "work-related" and "family-related" calendars may "provide the family manager with a dual access tool that provides a separation as well as a quick and smooth transition between work-related information and personal-related information." Application, page 11, lines 15-17. Accordingly, claims 1 and 13 call for a "calendar program adapted to provide at least one calendar corresponding to *work-related matters* and at least one calendar corresponding to *family-related matters*." (Emphasis added). Claims 1 and 13 further include "at least one calendar corresponding to a *merger of family-related matters and work-related matters* adapted to *display icons that distinguish between the family-related matters and the work-related matters*." (Emphasis added). Thus, when *both* work-related matters and family-related matters are being displayed, the icons serve the purpose of distinguishing between these two categories.

In contrast, the Raff and Gotou references fail to disclose or suggest (1) distinct "work-related" and "family-related" calendars or (2) a merged calendar of "work-related matters" and "family-related matters" where such matters are distinguished by icons. In regard to the distinct calendars, the calendars disclosed by the Raff reference contain items that relate *both* to family matters and work matters. In the portion of the Raff reference relied upon by the Examiner to disclose these two distinct calendars, the Board will note that the "individual" calendar contains both personal information, such as "GET JOHN PRESENT," and work-related information, such as "LUNCH PROPOSAL FOR ADM'S REVIEW." Raff, Fig.

10A; col. 10, lines 31-33, 49-52. The Examiner has clearly overlooked the undeniable fact that the Raff reference uses the term “personal” to describe matters that pertain to the *individual* user which may be composed of *both* the individual’s work-related *and* family-related matters. *Id.*

Furthermore, no other portion of the Raff reference provides the alleged disclosure of distinct calendars as claimed. For example, Figure 15 of the Raff reference illustrates a husband’s personal calendar alongside the personal calendars of other family members. Raff, Figure 15. The husband’s personal calendar lists items which arguably constitute “work-related matters,” such as “MEETING W/BOSS,” as well as items which arguably constitute personal or “family-related matters,” such as “DENTIST,” but the calendar fails to label items as “work-related” or “family-related.” *Id.* Similarly, Figure 17 of the Raff reference illustrates a calendar constituting a merger of items from a husband’s personal calendar and the personal calendars of other family members, and like Figure 15, the calendar in Figure 17 lists items which arguably constitute “work-related matters,” such as “MEETING W/BOSS,” as well as items which arguably constitute personal or “family-related matters,” such as “DENTIST.” The Gotou reference clearly does not obviate this glaring deficiency of the Raff reference, and the Examiner does not even make such an assertion. Hence, the present claims distinguish over the cited combination for this reason.

In regard to the merged calendar, neither the “shared” calendar shown in Fig. 10A of Raff nor the combined “shared and personal” calendar shown in Fig. 10B of Raff *distinguish* calendar items on the basis of being “work-related” and “family-related,” as alleged by the Examiner. In fact, none of the items on either of these calendars are distinguished from one another in any manner whatsoever. The Gotou reference teaches nothing to obviate this deficiency of the Raff reference. The Gotou reference discloses nothing more than a pager having a plurality of fixed icons, *only one of which may be displayed at any given time.* Gotou, Figs. 3A and 3B; col. 3,

lines 47-64. Indeed, as shown in Fig. 3A, the Gotou display has five icons at fixed positions on the display, and when a message is received that corresponds to one of the icons, the message and *single* corresponding icon are displayed, as shown in Fig. 3B. Nothing in the Gotou reference teaches or suggests displaying multiple messages, much less whether multiple icons would be displayed or any manner of correlating a particular one of the plurality of displayed icons with a particular one of the plurality of displayed messages. Indeed, given the fixed nature of the icons on the display, the correlation of multiple displayed icons with multiple displayed messages appears difficult if not impossible. Hence, the Gotou reference provides no teaching whatsoever of how to modify the Raff device to include multiple icons corresponding to multiple displayed calendar items.

In fact, just the opposite appears to be true. While the Gotou reference discloses using icons to distinguish among categories of contacts, when viewed together with the Raff reference, the references actually teach away from the Examiner's alleged combination. The Gotou reference discloses numerous icons for display on a pager, where the icons signify multiple categories of contacts. *See* Gotou, column 2, line 66, to column 3, line 15; Figure 3A. The Raff reference, however, teaches away from using the Gotou icons to "distinguish" between these two distinct categories of calendar matters, as claimed. Figure 17 of the Raff reference discloses the use of one or two letters or numbers to identify calendar items originating from another user, but items from the user's own calendar lack the identification. Raff, Figure 17. Upon substituting Gotou icons for the one or two characters in Figure 17 of the Raff reference, some calendar matters *would not utilize any icons at all*. *Id.* Thus, any calendar combining the teachings from the Raff and Gotou references would fail to display icons distinguishing "family-related" and "work-related" calendar content, as some items clearly within one category or the other would be without an icon to distinguish them from any other categories of matters.

In view of the arguments set forth above, Appellants respectfully request that the Board withdraw the rejection of independent claims 1 and 13 and provide an indication of allowance. Further, Appellants request that the Board withdraw the rejection of dependent claims 2, 4-6, 8-12, 14-16, 18-22, 24, and 44-47 based on their respective dependencies and for unique matter recited in each dependent claim.

Claims 9 and 20

The present application discloses a “barrier” that is implemented to ensure that specific personal information is not accessible to work-related entities and that work-related information is not accessible to personal entities. Application, page 17, line 20 to page 18, line 1. Dependent claims 9 and 20 recite “a barrier to separate the work-related matters from the family-related matters.”

In regard to these claims, the Examiner stated that “Raff-Gotou teaches the device wherein the host computer comprises a barrier to separate the work-related matters from the family-related matters (Raff, Figure 15).” However, as discussed above, Figure 15 of the Raff reference discloses calendars that include *both* work-related and family-related information, thus it is quite unclear to Appellants how the Examiner can rely on such disclosure to show a “barrier” between such information as claimed. In point of fact, no portion of the Raff reference describes that a barrier is maintained between personal and work related information. Instead, the Raff reference describes a device which allows a user to choose which schedules are displayed *without restriction* as to whether the schedule is categorized as personal or work-related. Raff, Fig. 18, item 615; Fig. 8, step 415; col. 10, line 64 – col. 11, line 6; col. 13 lines 16-20. The Gotou reference clearly does not obviate this glaring deficiency of the Raff reference, and the Examiner does not even make such an assertion. Hence, the present claims distinguish over the cited combination for this reason.

Claim 18

As discussed above, the present application discloses a system that communicates both family-related matters and work-related matters to a family manager's device, yet communicates only work-related matters to employee devices and only family-related matters to non-employee devices. Claim 18 specifically recites that "the host computer communicates both the family-related matters and the work-related matters to the first device, and wherein the host computer communicates only one of the family-related matters or the work-related matters to each of the plurality of second devices."

In regard to claim 18, the Examiner relied upon a portion of the Raff reference that discloses how information from multiple users is synchronized and shared. Raff, col. 11, line 64, to col. 12, line 29. While this portion of the Raff reference does disclose that "one user can download calendar information from multiple users and view their information in conjunction with his/her own calendar information," it does *not* disclose or suggest that only family-related information may be communicated to certain of the multiple users or that only work-related information may be communicated to others of the multiple users, as claimed. As discussed above, the Raff reference is not concerned with maintaining such privacy, as it describes a device which allows a user to choose which schedules are displayed *without restriction* as to whether the schedule is categorized as personal or work-related. Raff, Fig. 18, item 615; Fig. 8, step 415; col. 10, line 64 – col. 11, line 6; col. 13 lines 16-20. The Gotou reference clearly does not obviate this deficiency of the Raff reference, and the Examiner does not even make such an assertion. Hence, claim 18 distinguishes over the cited combination for this reason.

Claims 45 and 47

As discussed above, the present application discloses that it is desirable for the information to be manipulated in such a way that the family manager can easily distinguish work-related information from personal information. In one example, when a

merged calendar is displayed, icons are used to distinguish work-related items from family-related items, where the icon associated with work-related items resembles an office building and where the icon associated with personal items resembles a house. Thus, at a glance, the family manager can readily distinguish a work-related item from a family-related item. Claims 45 and 47 specifically recite a system “wherein the first icon resembles a house and wherein the second icon resembles an office building.”

In regard to these claims, the Examiner relied upon a portion of the Gotou reference that discloses that “the icon #3 indicates ‘the office’, the icon #4 indicates ‘the user’s home’ and so on.” Gotou, col. 3, lines 11 and 12. The Gotou reference goes on to state that “the reason why the respective icons #3 and #4 are determined as ‘the office’ and ‘the user’s home’ is that these icons have a shape which is associated with a building.” *Id.*, col. 3, lines 12-15. While icon #4 shown in Fig. 1 of Gotou might arguably resemble a house, icon #3 is nothing more than a rectangle. In fact, Gotou even describes icons #1, #2, and #3 as “abstract or geometrical shapes” from ‘the point of view of the user.’ *Id.*, col. 3, lines 4-6. Because an abstract rectangle does not “resemble an office building” as claimed, Appellant’s respectfully assert that the Gotou reference does not disclose or suggest the subject matter set forth in claims 45 and 47.

B. Ground of Rejection No. 2

The Examiner rejected claims 7 and 17 under 35 U.S.C. § 103(a) as being unpatentable over the Raff and Gotou references in view of the Edwards reference. Specifically, the Examiner stated:

As per claim 7, Raff-Gotou fails to specifically point out a private host computer. However, Edwards teaches a method, wherein the host computer comprises a private host computer ([0010]-[0012]). Therefore it would have been obvious to an artisan at the time of the invention to combine

the private computer of Edwards with the method of Raff-Gotou. Motivation to do so would have been to provide a secure way of accessing applications, programs, and capabilities of the device.

Claim 17 is similar in scope to claims 7 respectively, and is therefore rejected under similar rationale.

Appellants respectfully traverse this rejection. As discussed above, the Raff and Gotou references do not teach *all* of the claimed elements of independent claims 1 and 13. As the Edwards reference fails to obviate the claimed elements not disclosed by Raff and Gotou, the sum of the references consequently fails to teach *all* of the claimed elements found in dependent claims 7 and 17. Accordingly, the Examiner has not established a *prima facie* case of obviousness. Thus, Appellants respectfully request that the Board withdraw the rejection of claims 7 and 17 based on their respective dependencies on claims 1 and 13.

Furthermore, the Examiner has not provided sufficient suggestion or motivation to support the combination the Raff and Gotou references with the Edwards reference. The Edwards reference pertains to providing access to a private network to increase security, whereas the Raff reference discloses a system for *sharing*, viewing, and synchronizing multiple schedules. Specifically, the Raff reference repeatedly discusses ways to synchronize and view *shared* scheduling information. *See, e.g.*, Raff, col. 1, lines 12-15. Thus, the Raff reference actually teaches away from using a private network that would greatly reduce, or eliminate, the type of sharing disclosed by the Raff reference. Accordingly, nothing in Edwards or Raff suggests the motivation to combine a method for accessing private network with a system for viewing shared schedules on a server.

In view of the arguments set forth above, Appellants respectfully request that the Board withdraw the rejection of claims 7 and 17 and provide an indication of allowance.

C. **Ground of Rejection No. 3**

The Examiner rejected claims 25-32 under 35 U.S.C. § 103(a) as being unpatentable over the Raff reference in view of the Edwards reference. With regard to independent claim 25, the Examiner stated:

As per independent claim 25, Raff teaches a system for managing a combination of family-related matters and work-related matters, the system comprising: a family/work device (Figure 15); a plurality of work devices (Column 12 lines 1-10); a plurality of family devices (Column 12 lines 1-10) a public host computer communicatively coupled to the family/work device and to the plurality of family devices, the public host computer maintaining family-related matters (Column 12 lines 1-10); and a calendaring program running on at least the family/work device (Column 10 lines 10- 52), at least one calendar corresponding to work-related matters (Column 10 lines 10- 52), the calendaring program adapted to update the at least one calendar corresponding to family-related matters and the at least one calendar corresponding to work-related matters in response to communication between the family/work device and the host computers (Column 9 lines 9-62). Raff fails to specifically point out a private host computer. However, Edwards teaches a method, wherein the host computer comprises a private host computer ([0010]-[0012]). Therefore it would have been obvious to an artisan at the time of the invention to combine the private computer of Edwards with the method of Raff. Motivation to do so would have been to provide a secure way of accessing applications, programs, and capabilities of the device.

Claim 25 calls for “at least one calendar corresponding to family-related matters” and “at least one calendar corresponding to work-related matters.” As discussed above with regard to independent claims 1 and 13, the Raff reference does not disclose one calendar for family-related matters and another calendar for work-related matters. The Edwards reference does not cure this deficiency of the Raff reference, and the Examiner does not even assert that it does. Hence, claim 25 distinguishes over the cited combination for this reason alone.

Claim 25 further recites “a private host computer communicatively coupled to the family/work device and to the plurality of work devices, the private host computer maintaining work-related matters,” and “a public host computer communicatively coupled to the family/work device and to the plurality of family devices, the public host computer maintaining family-related matters.” It is interesting to note that the Examiner in rejecting claims 7 and 17 essentially took the position that one of ordinary skill in the art would have modified the Raff system to *substitute* the public host computer of Raff with the private host computer of Edwards, while in rejecting claim 25, the Examiner is essentially taking the position that one of ordinary skill in the art would modify the Raff system to include *both* the public host computer of Raff as well as an *additional* private host computer of Edwards. With all due respect, the Examiner cannot have his cake and eat it too. As discussed with respect to claims 7 and 17 above, it is Appellants’ position that the Raff reference would teach away from using a private host computer for any reason. Nevertheless, even if one of ordinary skill in the art would be inclined to modify the Raff system to include a private host computer in view of the teachings of Edwards, there is simply no teaching that would lead anyone to *both* replace the public host with a private host *and* to add a private host to the public host. Thus, at the very least, one of the Examiner’s rejections must fail.

Moreover, even if the Raff system could be modified to include a private host computer in addition to a public host computer, there is absolutely no teaching in either reference to suggest a system where “work-related matters” and “work devices” are maintained separately from “family-related matters” and “family devices” by distinct private and public host computers, as claimed. Indeed, while the Raff reference discloses the use of a public host computer to share calendars, in the Raff system, *all user calendar information* is maintained by the public host computer. *Id.* at column 12, lines 1-10; Figure 13. Raff notes that “[a]fter synchronization, the two databases [of calendar information] will contain the same information.” *Id.* at column 8, lines 63-64. Claim 25, on the other hand, states specifically that the “work-related” matters are maintained by the “private host computer,” as contrasted with the “family-related” matters maintained

by the “public host computer.” Hence, the combination does not meet the terms of the claim.

In view of the arguments set forth above, Appellants respectfully request that the Board withdraw the rejection of independent claim 25 and provide an indication of allowance. Further, Appellants request that the Board withdraw the rejection of dependent claims 26-32 based on their respective dependencies and for unique matter recited in each dependent claim.

D. Ground of Rejection No. 4

The Examiner rejected claims 48-50 under 35 U.S.C. § 103(a) as being unpatentable over the Raff and Edwards references in view of the Gotou reference. Claim 49 will stand or fall with claim 48, but claim 50 will be argued separately. With regard to claims 48-50, the Examiner stated:

As per claim 48, Raff-Edwards fails to distinctly point out icons as known in the art. However, Gotou teaches display icons that distinguish between the family related matters and the work related matters (Column 3 lines 1-15). Therefore it would have been obvious to an artisan at the time of the invention to combine the icon teaching of Gotou with the device of Raff-Edwards. Motivation to do so would have been to provide a desired meaning to each of the icons so that a user can quickly identify an association.

As per claim 49, Raff-Edwards-Gotou teaches the device wherein the icons comprise a first icon associated with the family-related matters and a second icon associated with the work-related matters, the first icon being different in appearance than the second icon (Gotou, Column 3 lines 1-15).

As per claim 50, Raff-Edwards-Gotou teaches the device wherein the first icon resembles a house and wherein the second icon resembles an office building (Gotou, Column 3 lines 1-15).

Claims 48 and 49

Claim 48 recites that “the calendaring program is adapted to display icons that distinguish between the family-related matters and the work-related matters.” As discussed above with regard to independent claims 1 and 13, none of the items on any of the calendars disclosed by Raff are distinguished from one another in any manner whatsoever. The Gotou reference teaches nothing to obviate this deficiency of the Raff reference. The Gotou reference discloses nothing more than a pager having a plurality of fixed icons, *only one of which may be displayed at any given time*. Gotou, Figs. 3A and 3B; col. 3, lines 47-64. Indeed, as shown in Fig. 3A, the Gotou display has five icons at fixed positions on the display, and when a message is received that corresponds to one of the icons, the message and *single* corresponding icon are displayed, as shown in Fig. 3B. Nothing in the Gotou reference teaches or suggests displaying multiple messages, much less whether multiple icons would be displayed or any manner of correlating a particular one of the plurality of displayed icons with a particular one of the plurality of displayed messages. Indeed, given the fixed nature of the icons on the display, the correlation of multiple displayed icons with multiple displayed messages appears difficult if not impossible. Hence, the Gotou reference provides no teaching whatsoever of how to modify the Raff device to include multiple icons corresponding to multiple displayed calendar items.

Claim 50

Claim 50 recites that “the first icon resembles a house” and that “the second icon resembles an office building.” As discussed above with regard to claims 45 and 47, because an abstract rectangle does not “resemble an office building” as claimed, Appellant’s respectfully assert that the Gotou reference does not disclose or suggest the subject matter set forth in claim 50.

In view of the arguments set forth above, Appellants respectfully request that the Board withdraw the rejection of claims 48-50 and provide an indication of allowance.

Conclusion

Appellants respectfully submit that all pending claims are in condition for allowance. However, if the Examiner or Board wishes to resolve any other issues by way of a telephone conference, the Examiner or Board is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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8. **APPENDIX OF CLAIMS ON APPEAL**

Listing of Claims:

1. (Previously Presented) A device for managing a combination of family-related matters and work-related matters, the device comprising:

a processor;

a calendaring program running on the processor, the calendaring program adapted to

provide at least one calendar corresponding to family-related matters, at least one calendar corresponding to work-related matters, and at least one calendar corresponding to a merger of the family-related matters and the work-related matters, the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family-related matters and the work-related matters;

and

an input/output stage operably coupled to the processor and adapted to communicate

with a remote device to update the at least one calendar corresponding to family-related matters and the at least one calendar corresponding to work-related matters.
2. (Original) The device, as set forth in claim 1, comprising at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager.

3. (Canceled).

4. (Original) The device, as set forth in claim 1, wherein the input/output stage comprises at least one of an infrared link, a cellular link, a hard-wired link, an intranet link, and an Internet link.

5. (Original) The device, as set forth in claim 1, wherein the remote device comprises a host computer.

6. (Original) The device, as set forth in claim 5, wherein the host computer comprises a public host computer.

7. (Original) The device, as set forth in claim 5, wherein the host computer comprises a private host computer.

8. (Original) The device, as set forth in claim 1, wherein the remote device comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager.

9. (Original) The device, as set forth in claim 5, wherein the host computer comprises a barrier to separate the work-related matters from the family-related matters.

10. (Original) The device, as set forth in claim 1, wherein the at least one calendar corresponding to family-related matters comprises at least one of a daily family-related calendar, a weekly family-related calendar, and a monthly family-related calendar.

11. (Original) The device, as set forth in claim 1, wherein the at least one calendar corresponding to work-related matters comprises at least one of a daily work-related calendar, a weekly work-related calendar, and a monthly work-related calendar.

12. (Previously Presented) The device, as set forth in claim 1, wherein the at least one calendar corresponding to the merger of family-related matters and work-related matters comprises at least one of a daily merged calendar, a weekly merged calendar, and a monthly merged calendar.

13. (Previously Presented) A system for managing a combination of family-related matters and work-related matters, the system comprising:

a first device designated as a hub;

a plurality of second devices;

a host computer adapted to communicate with the first device and with the plurality of second devices; and

a calendaring program running on at least the first device, the calendaring program adapted to provide at least one calendar corresponding to family-related matters, at least one calendar corresponding to work-related matters, and at least one calendar corresponding to a merger of the family-related matters and the work-related matters, the calendaring program adapted to update the at least one calendar corresponding to family-related matters and the at least one calendar corresponding to work-related matters in response to communication between the first device and the host computer, the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between family-related matters and work-related matters.

14. (Original) The system, as set forth in claim 13, wherein the first device comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager.

15. (Original) The system, as set forth in claim 13, wherein each of the plurality of second devices comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager.

16. (Original) The system, as set forth in claim 13, wherein the host computer comprises a public host computer.

17. (Original) The system, as set forth in claim 13, wherein the host computer comprises a private host computer.

18. (Original) The system, as set forth in claim 13, wherein the host computer communicates both the family-related matters and the work-related matters to the first device, and wherein the host computer communicates only one of the family-related matters or the work-related matters to each of the plurality of second devices.

19. (Original) The system, as set forth in claim 13, comprising at least one of an infrared link, a cellular link, a hard-wired link, an intranet link, and an Internet link between the host computer and the first device and between the host computer and each of the second devices.

20. (Original) The system, as set forth in claim 13, wherein the host computer comprises a barrier to separate the work-related matters from the family-related matters.

21. (Original) The system, as set forth in claim 13, wherein the at least one calendar corresponding to family-related matters comprises at least one of a daily family-related calendar, a weekly family-related calendar, and a monthly family-related calendar.

22. (Original) The system, as set forth in claim 13, wherein the at least one calendar corresponding to work-related matters comprises at least one of a daily work-related calendar, a weekly work-related calendar, and a monthly work-related calendar.

23. (Canceled).

24. (Original) The system, as set forth in claim 23, wherein the at least one calendar corresponding to the merger of family-related matters and work-related matters comprises at least one of a daily merged calendar, a weekly merged calendar, and a monthly merged calendar.

25. (Original) A system for managing a combination of family-related matters and work-related matters, the system comprising:

a family/work device;

a plurality of work devices;

a private host computer communicatively coupled to the family/work device and to

the plurality of work devices, the private host computer maintaining work-related matters;

a plurality of family devices;

a public host computer communicatively coupled to the family/work device and to the plurality of family devices, the public host computer maintaining family-related matters; and

a calendaring program running on at least the family/work device, the calendaring program adapted to provide at least one calendar corresponding to family-related matters and at least one calendar corresponding to work-related matters, the calendaring program adapted to update the at least one calendar corresponding to family-related matters and the at least one calendar corresponding to work-related matters in response to communication between the family/work device and the host computers.

26. (Original) The system, as set forth in claim 25, wherein the family/work device comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager.

27. (Original) The system, as set forth in claim 25, wherein each of the plurality of work devices and each of the plurality of family devices comprise at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager.

28. (Original) The system, as set forth in claim 25, comprising at least one of an infrared link, a cellular link, a hard-wired link, an intranet link, and an Internet link between

the private host computer and the family/work device, between the private host computer and each of the work devices, between the public host computer and the family/work device, and between the public host computer and each of the family devices.

29. (Original) The system, as set forth in claim 25, wherein the at least one calendar corresponding to family-related matters comprises at least one of a daily family-related calendar, a weekly family-related calendar, and a monthly family-related calendar.

30. (Original) The system, as set forth in claim 25, wherein the at least one calendar corresponding to work-related matters comprises at least one of a daily work-related calendar, a weekly work-related calendar, and a monthly work-related calendar.

31. (Original) The system, as set forth in claim 25, wherein the calendaring program is adapted to provide at least one calendar corresponding to a merger of the family-related matters and the work-related matters.

32. (Original) The system, as set forth in claim 31, wherein the at least one calendar corresponding to the merger of family-related matters and work-related matters comprises at least one of a daily merged calendar, a weekly merged calendar, and a monthly merged calendar.

44. (Previously Presented) The device, as set forth in claim 1, wherein the icons comprise a first icon associated with the family-related matters and a second icon associated with the work-related matters, the first icon being different in appearance than the second icon.

45. (Previously Presented) The device, as set forth in claim 44, wherein the first icon resembles a house and wherein the second icon resembles an office building.

46. (Previously Presented) The system, as set forth in claim 13, wherein the icons comprise a first icon associated with the family-related matters and a second icon associated with the work-related matters, the first icon being different in appearance than the second icon.

47. (Previously Presented) The system, as set forth in claim 46, wherein the first icon resembles a house and wherein the second icon resembles an office building.

48. (Previously Presented) The system, as set forth in claim 25, wherein the calendaring program is adapted to display icons that distinguish between the family-related matters and the work-related matters.

49. (Previously Presented) The system, as set forth in claim 48, wherein the icons comprise a first icon associated with the family-related matters and a second icon associated with the work-related matters, the first icon being different in appearance than the second icon.

50. (Previously Presented) The system, as set forth in claim 49, wherein the first icon resembles a house and wherein the second icon resembles an office building.

9. **EVIDENCE APPENDIX**

None.

10. **RELATED PROCEEDINGS APPENDIX**

None.